REMARKS

1. Claim Rejection – 35 U.S.C. § 102(e)

The Examiner has rejected claims 1-8, 10-12, 15, 16, 18-23, 25-27, 30 and 31 under 35 U.S.C. § 102(e) as being anticipated by Munoz (US 2004/0242313) in view of Singer *et al.* (US 6,604,740). Initially, Applicant notes that the Examiner must have meant to cite a 35 U.S.C. § 103(a) rejection since the Examiner is combining two references. Nevertheless, Applicant respectfully traverses this rejection. For the sake of brevity, only the rejections of the independent claims are discussed in detail on the understanding that the dependent claims are also patentably distinct over the cited references, as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate and independent bases for patentability.

Regarding the Munoz reference, in the attached 37 CFR 1.131 affidavit (See Exhibit A), Applicant swears behind the Munoz reference. That is, the Munoz reference is not prior art to the claimed invention of the present application, since the claimed invention was invented before the priority date of the Munoz reference.

Regarding the Singer *et al.* reference, the Examiner has stated that the Singer *et al.* reference teaches a slot machine in which a player may select paylines or an amount bet per payline, either before or after the spinning of the slot machine reels. However, the Examiner admits that the Singer *et al.* reference does not disclose "*selecting a subset of the currently spinning reels for use in determining a game outcome*" as claimed in the present application. The Examiner may not simply dismiss a claim element by claiming that it is obvious without supporting prior art. There is no correlation between selecting paylines and selecting the number of reels that will be utilized in a game. If the Examiner wishes to anticipate the claim element of "*selecting a subset of the currently spinning reels for use in determining a game outcome,*" the Examiner must cite prior art relating to reel selection, and not relating to other extraneous game features.

Furthermore, the Singer *et al.* reference does not replace the shortcomings of the cited Munoz reference, which is not prior art to the claimed invention, as described above. In this

manner, no reel selection, non-selected reel removal, or reel consolidation steps are shown by the cited references. Therefore, the cited references do not teach or suggest the claimed invention, as required by claims 1-8, 10-12, 15, 16, 18-23, 25-27, 30 and 31 in the present application. Accordingly, Applicant respectfully submits that the 35 U.S.C. §102(a) rejection of claims 1-8, 10-12, 15, 16, 18-23, 25-27, 30 and 31 has been overcome.

2. Claim Rejections – 35 U.S.C. § 103(a)

The Examiner has rejected claims 9 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Munoz in view of Singer in further view of the Price is Right game "Squeeze Play." Applicant respectfully traverses this rejection. For the sake of brevity, only the rejections of the independent claims are discussed in detail on the understanding that the dependent claims are also patentably distinct over the cited references, as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate and independent bases for patentability.

With respect to claims 9 and 24, the Examiner admits that the Munoz reference in view of the Singer *et al.* reference fails to disclose "*consolidating the selected reels within the display window, wherein consolidating the selected reels within the display window comprises juxapositioning the selected reels to eliminate any non-contiguous positioning of the selected reels produced by the removal of the non-selected reels.*" Nevertheless, the Examiner has argued that the Price is Right Game discloses such an element. However, the Price is Right Game merely discloses the physical removal of a letter-bearing tile by a television game show host in a non-casino environment. This is vastly different from the consolidating of spinning reels (via *juxapositioning the selected reels to eliminate any non-contiguous positioning of the selected reels produced by the removal of the non-selected reels*) in the display window of a casino gaming machine in a casino gaming environment.

Moreover, as explained in the attached 37 CFR 1.131 Affidavit (See Exhibit A), Applicant swears behind the Munoz reference. As such, the Munoz reference is not prior art to the claimed invention. Additionally, the Singer *et al.* reference and the Price is Right Game suffer from the same shortcomings discussed above in Section 1, namely they do not disclose

any reel selection, non-selected reel removal, or reel consolidation steps, as claims in the present application.

3. Claim Rejections – 35 U.S.C. § 103(a)

The Examiner has rejected claims 13, 14, 28 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Munoz in view of Singer in further view of Fier (US 6,126,542). Applicant respectfully traverses this rejection. For the sake of brevity, only the rejections of the independent claims are discussed in detail on the understanding that the dependent claims are also patentably distinct over the cited references, as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate and independent bases for patentability.

Dependent claims 13, 14, 28 and 29 are patentable over the cited references for the same reasons described above in Sections 1 and 2 with regard to their respective independents claims. Additionally, nothing in the Fier reference corrects the shortcomings of the Singer reference, and as described above, the Munoz reference is not prior art to the claimed invention.

CONCLUSION

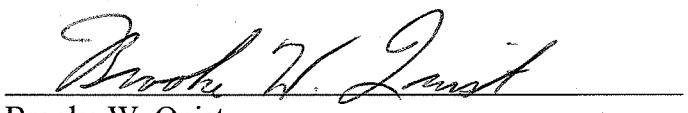
Applicant has made an earnest and *bona fide* effort to clarify the issues before the Examiner and to place this case in condition for allowance. Reconsideration and allowance of all of claims 1, 3, 4, 6-16, and 18-31 is believed to be in order, and a timely Notice of Allowance to this effect is respectfully requested.

The Commissioner is hereby authorized to charge the fees indicated in the Fee Transmittal, any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17, or to credit any overpayments, to Deposit Account No. 194293, Deposit Account Name STEPTOE & JOHNSON LLP.

Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 734-3244. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:00 PM Pacific Time.

Respectfully submitted,

Date: April 3, 2007



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